

FIRST REGULAR SESSION

HOUSE BILL NO. 450

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MYERS.

Read 1st time January 18, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0918L.011

AN ACT

To repeal section 527.180, RSMo 2000, relating to real estate ownership, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 527.180, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 527.180, to read as follows:

527.180. In all cases when, under the provisions of section 516.070, RSMo, the title or claim of any person out of possession of any real estate shall be barred by limitation, and the title thereto has vested in the party in possession, or the party under whom he **or she** claims, under the provisions of [said] section **516.070, RSMo**, the party holding the title which has vested by limitation under [the provisions of said] section **516.070, RSMo**, may bring [his] **an** action in the circuit court of the county in which the real estate is situated, to have his **or her** record title thereto perfected[, and it shall be sufficient for him to]. **Such person shall file a bond in an amount sufficient to pay the collector of the county in which such real estate is situated all delinquent real property taxes on such real estate. Such person shall also state in his or her** petition that he **or she** holds the title to such real estate[, and that [the same] **title** has vested in him, **her** or those under whom he **or she** claims, by limitation under [the provisions of said,] section [and] **516.070, RSMo**. In such action it shall not be necessary to make any person a party defendant except such persons [as may] **who** appear to have of record a claim or title adverse to that of plaintiff[, and]. [Upon the] **At trial [of such cause], a presentation of proof of the facts[,]** showing title in plaintiff by limitation by reason of the provisions of [said] section **516.070, RSMo, and a finding by the court that plaintiff has posted bond in an amount sufficient**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 **to pay all delinquent real property taxes owed the county collector on such real estate**, shall
18 entitle [him] **the plaintiff** to a decree of the court declaring [his] **plaintiff's** title by limitation
19 under the provisions of [said] section **516.070, RSMo**[, and]. **When delinquent real property**
20 **taxes are owed on the real estate to which plaintiff is granted title, the amount of such taxes**
21 **shall be adjudged against plaintiff, and plaintiff's bond shall be used to satisfy plaintiff's**
22 **liability to the collector of the county in which the real estate is situated.** A copy of such
23 decree may be entered of record in the office of the recorder of deeds for said county[, and]. In
24 any such action service of process may be had as provided in chapter 506, RSMo, in causes
25 affecting real estate, and if in any case the person whose adverse claim appears of record shall
26 be dead, then the heirs or devisees of such person, or those claiming by, through or under him,
27 **her** or them, if known, shall be made defendants, as adverse claimants, and if they be unknown
28 to plaintiff, then [he] **plaintiff** shall allege in his **or her** petition, under oath, that there are, or that
29 he **or she** verily believes there are, persons interested in the subject matter of the petition as heirs
30 or devisees of deceased, or as claiming by, through or under him, **her** or them, whose names [he]
31 **plaintiff** cannot insert therein because they are unknown to [him] **plaintiff**, and shall describe
32 the interest of such person, and how derived, so far as [his] **plaintiff's** knowledge extends, and
33 service of process on such unknown person shall be had as [in said] **prescribed by** chapter 506,
34 RSMo, [is provided in case of] **for** unknown parties, and when such service shall be had,
35 judgment and decree shall be rendered the same as though personal service had been had.